

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
LEROY PEOPLES,

Plaintiff,

-against-

BRIAN FISCHER ET AL.,

Defendants.

NOTICE OF MOTION

11 CIV. 2694 (SAS)

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PLEASE TAKE NOTICE that, upon the annexed Declaration of Ryan G. Shaffer, dated August 15, 2011, and the exhibits annexed thereto, the accompanying Memorandum of Law dated August 15, 2011, and all the papers and proceedings had herein, defendants Peter Crusco, Richard Brown, and Eric Rosenbaum will move this Court, before the Honorable Shira A. Scheindlin, United States District Judge, at the Daniel Patrick Moynihan United States Courthouse for the Southern District of New York, located at 500 Pearl Street, New York, New York, on August 15, 2011 for an Order, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, dismissing Plaintiff's Complaint, with prejudice, for Plaintiff's failure to state a claim, and for such other and further relief as the Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Court's Order dated July 12, 2011, opposition papers, if any, are due no later than September 15, 2011.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Court's Order dated

July 12, 2011, reply papers, if any, are due no later than September 29, 2011.

Dated: New York, New York
August 15, 2011

MICHAEL A. CARDOZO
Corporation Counsel of the City of New York
*Attorney for Defendants Brown, Rosenbaum, &
Crusco*
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(212) 788-1041

By: 

RYAN G. SHAFFER
Assistant Corporation Counsel
Special Federal Litigation Division

To: Leroy Peoples (By First Class Mail)
Plaintiff Pro Se
05-A-2620
Upstate Correctional Facility
P.O. Box 2001
309 Barehill Rd.
Malone, NY 12953

Honorable Shira A. Scheindlin (By Hand Delivery)
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

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<i>MICHAEL A. CARDOZO</i> <i>Corporation Counsel of the City of New York</i> <i>Attorney for Defendants Brown, Rosenbaum, & Crusco</i> <i>100 Church Street</i> <i>New York, New York 10007</i> <i>Of Counsel: Ryan G. Shaffer</i> <i>Tel: (212) 788-1041</i> <i>NYCLIS No. 2011-019703</i>	
<i>Due and timely service is hereby admitted.</i>	
<i>New York, N.Y., 2011.</i>	
<i>..... Esq.</i>	
<i>Attorney for.....</i>	